



Atty. Dkt. No. 059440/0138

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Brian S. HOOKER et al.

**Title:** CONTROLLED ENVIRONMENT AGRICULTURE  
BIOREACTOR FOR HETEROLOGOUS PROTEIN  
PRODUCTION

**Appl. No.:** 09/910,958

**Filing Date:** July 24, 2001

**Examiner:** Unassigned

**Art Unit:** 1638

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.56 AND 37 C.F.R. 1.97(B)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 CFR §1.97(b), before the mailing date of a first Office Action on the merits.

Applicants respectfully request that any listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 30, 2001

By 

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
Telephone: (202) 672-5402  
Facsimile: (202) 672-5399

Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792